

## FINANCE DEPARTMENT

## (REGULATIONS)

The 29th March, 1983

No. 1/2 (27)-79-2FR11.—In exercise of the powers conferred by the proviso to article 309 of the Constitution of India, and all other powers enabling him in this behalf, the Governor of Haryana hereby makes the following rules further to amend the Punjab Civil Services Rules, Volume II, as applicable to the Haryana Government employees, namely :—

1. These rules may be called the Punjab Civil Services, Volume II. (Haryana First Amendment) Rules, 1983.

2. In the Punjab Civil Services Rules, Volume II (hereinafter called the said rules,) in rule 2.2 in clause (a), for the words "The Government reserve to themselves the right of withholding or withdrawing a pension", the words "The appointing authority reserves to itself the right of withholding or withdrawing a pension", shall be substituted and in sub-para thereof, for the words "decision of the Government", the words "decision of the appointing authority", shall be substituted.

3. In the said rules, in rule 5.32 B, for sub-rule (i), the following sub-rule shall be substituted, namely :—

"(1) At any time after a Government employee has completed twenty years qualifying service, he may, by giving notice of not less than three months in writing to the appointing authority retire from service. However, a Government employee may make a request in writing to the appointing authority to accept notice of less than three months giving reasons therefor. On receipt of a request, the appointing authority may consider such request for the curtailment of the period of notice of three months on merits and if it is satisfied that the curtailment of the period of notice will not cause any administrative inconvenience, the appointing authority may relax the requirement of notice of three months on the condition that the Government employee shall not apply for commutation of a part of his pension before the expiry of the period of notice of three months."

4. In the said rules, for rule 5.34 A, the following rule shall be substituted, namely —

"5.34-A (1) On a Government employee completing twenty-five years of service or on his being left with five years of service before the date of retirement, whichever is earlier, the Head of Office in consultation with the Accounts Officer shall, in accordance with the rules for the time being in force, verify the service rendered by such a Government employee, determine the qualifying service and communicate to him, in form 15, the period of qualifying service so determined;

(2) Notwithstanding anything contained in sub-rule (1) where a Government employee is transferred to another department from a temporary department or on account of the closure of the department he had been previously serving or because the post he held had been declared surplus, (or where a non-gazetted Government employee is promoted to gazetted rank), the verification of his service may be done whenever such event occurs;

(3) The verification done under sub-rules (1) and (2) shall be treated as final and shall not be reopened except when necessitated by a subsequent change in the rules and orders governing the conditions under which the service qualified for pension".

5. In the said rules, in rule 6.16-A in sub-rule (5), for the words "may, at the discretion of the authority which has power to sanction the gratuity under this section", the word "shall" shall be substituted.

6. In the said rules, in rule 6.16-B, the existing sub-rule (8), shall be renumbered as clause (i) thereof and to clause (i) as so renumbered, the following proviso and clause shall be inserted, namely :—

"Provided that the Head of office may authorise his subordinate gazetted officers to countersign nomination forms of nongazetted Government employees.

(ii) Suitable entry regarding receipt of nomination shall be made in the service book of the Government employee concerned."

7. In the said rules, after rule 6.16 B, the following rule shall be inserted, namely :—  
 “6.16 BB Debaring a person from receiving gratuity :—

- (i) If a person, who in the event of death of a Government employee while in service, is eligible to receive gratuity in terms of rule 6.16 B is charged with the offence of murdering the Government employee or for abetting in the commission of such an offence, his claim to receive his share of gratuity shall remain suspended till the conclusion of the criminal proceedings instituted against him.
- (2) If on the conclusion of the criminal proceedings referred to in sub-rule (i), the person concerned :—
  - (a) is convicted for the murder or abetting in the murder of the Government employee, he shall be debarred from receiving, his share of gratuity which shall be payable to other eligible members of the family, if any
  - (b) is acquitted of the charge of murdering or abetting in the murder of the Government employee, his share of gratuity shall be payable to him,
- (3) The provisions of sub-rules (1) and (2) shall also apply to the undisbursed gratuity admissible under rule 6.16 A, if a Government employee dies after retirement without receiving the gratuity.”

8. In the said rules, in Appendix 1,

- (a) In para 4, for sub-para (i), and notes thereunder the following sub-para and notes thereunder shall be substituted, namely :—

- “(i) The family pension is admissible in case of death while in service or after retirement on or after the 1st July, 1964, if at the time of death, the retired officer was in receipt of a compensation, invalid, retiring or superannuation pension. The Family Pension will not be admissible in case of death after retirement if the retired employee at the time of death was in receipt of gratuity only. In case of death while in service a Government employee should have completed a minimum period of one year of continuous service without break.

Note 1:— The term one year continuous service used in para 4(i) above is inclusive of permanent/temporary service in a pensionable establishment but does not include periods of extraordinary leaves, boy service and suspension period unless that is regularised by the competent authority or before completion of one year continuous service provided the deceased Government employee concerned immediately prior to his retirement to the service or post was examined by the appropriate Medical Authority and declared fit by that authority for Government service.

Note 2:—In the cases of persons who were in service in composite state of Punjab prior to 1st November, 1966 and came over to Haryana state on or after 1st November, 1966 or those who have been recruited by the Haryana Government on or after 1st November, 1966, or who are transferred to the Haryana State from the Central Government or other state Governments and to those cases it has been agreed to count their previous service for pension, the family pension scheme would be applicable in the event of their death/retirement without putting in one year continuous service under the state Government; if their total service at the time of death (inclusive of service rendered under the previous Government) exceeds one year.”

- (b) after para 4, the following para shall be inserted, namely:—

- “4 A (a) If a person, who in the event of death of Government employee while in service, is eligible to receive family pension under this rule, is charged with the offence of murdering the Government employee or for abetting in the commission of such an offence, the claim of such a person, including other eligible member of members of the family to receive the family pension, shall remain suspended till the conclusion of the criminal proceedings instituted against him.
- (b) If on the conclusion of the criminal proceedings referred to in clause (a), the person concerned:—
- (i) is convicted for the murder or abetting in the murder of the Government employee, such a person shall be debarred from receiving the family pension which shall be payable to other eligible member of the family, from the date of the death of Government employee;
  - (ii) is acquitted of the charge of murder or abetting in the murder of the Government employee, the family pension, shall be payable to such person from date of death of the Government employee,
- (c) The provisions of sub-para (a) and (b) shall also apply for the family pension becoming payable on the death of a Government employee after his retirement.”

9. In the said rules, after Form PEN 14, the following form shall be inserted, namely:—

"FORM PEN 15

Form of certificate of Verification of service for pension.

No. \_\_\_\_\_

Government of Haryana

Department of \_\_\_\_\_

Dated \_\_\_\_\_

Certificate

It is certificate, in consultation with the Accounts Officer, that Shri \_\_\_\_\_ has completed a qualifying service of (name and designation) \_\_\_\_\_ Year \_\_\_\_\_ months and \_\_\_\_\_ days as on \_\_\_\_\_ (date)

as per details given below. The service has been verified on the basis of his service documents and in accordance with the rules regarding qualifying service in force at present. The verification done under sub-rules (1) and (2) of rule 5.34 A shall be treated as final and shall not be re-opened except when necessitated by a subsequent change in the rules and orders governing the conditions under which the service qualified-s for pension.

DETAILS OF QUALIFYING SERVICE

	From	To
1.		
2.		
3.		

Signature of Accounts Officer,  
Head of Office.

To

Shri

(Name and designation)".

T. K. BENERJI,

Commissioner and Secretary to Government, Haryana,  
Finance Department.

LABOUR DEPARTMENT

The 19th April, 1983

No. 9(76)-82-6Lab.—In pursuance of provision of clause (b) of Rule 4 of the Punjab Welfare Officers recruitment and conditions of Service Rules, 1952, published with erstwhile Punjab Government Notification No. 2061-1P-52/1204, dated 26th March, 1952 and in exercise of powers of the provisions of Section 49(2) of the Factories Act, 1948, the Governor of Haryana is pleased to recognise and add the name of the following institutions and its degree/Diploma after serial No. 53 of the list mentioned under rule 5(4) of the said rules for employment as welfare officers in the State of Haryana under the Factories, Act, 1948 :—

54. D.A.V. College of Management Communication and Educational Administration, D.A.V. School Building, Sector 8-C, Chandigarh.

Post Graduate Diploma in  
personnel Management and  
Industrial Relations.

ASHOK PAHWA,

Commissioner and Secretary to Government, Haryana,  
Labour and Employment Departments.